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Attorneys for VERIFONE SYSTEMS, INC.
and Douglas Bergeron

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re VERIFONE HOLDINGS, INC.
SECURITIES LITIGATION

Master File No. 3:07-cv-06140 EMC

CLASS ACTION

STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING TIME TO ANSWER AND
EXCHANGE INITIAL DISCLOSURES

Assigned to: Hon. Edward M. Chen
Courtroom 5
Date Action Filed: December 4, 2007

1 WHEREAS, on September, 15, 2010, lead plaintiff National Elevator Industry Pension
2 Fund (“plaintiff”) filed its Third Amended Consolidated Complaint (Dkt. #262);

3 WHEREAS, on October 5, 2010, defendants VeriFone Systems, Inc., Douglas Bergeron,
4 and Barry Zwarenstein (collectively, “defendants”) filed their Motion to Dismiss plaintiff’s Third
5 Amended Complaint (Dkt. #264);

6 WHEREAS, on March 8, 2011, the Hon. Marilyn H. Patel issued an Amended
7 Memorandum and Order Re: Defendants’ Motion to Dismiss Plaintiffs’ Third Amended Complaint,
8 granting defendants’ Motion to Dismiss and dismissing plaintiff’s Third Amended Complaint with
9 prejudice (“Order Granting Motion to Dismiss”) (Dkt. #275);

10 WHEREAS, on April 5, 2011, plaintiff filed a Notice of Appeal of Judge Patel’s Order
11 Granting Motion to Dismiss with the Court of Appeals for the Ninth Circuit (“Ninth Circuit”) (Dkt.
12 #282);

13 WHEREAS, on December 21, 2012, the Ninth Circuit panel reversed, in part, the Order
14 Granting Motion to Dismiss, and reinstated plaintiff’s Third Amended Complaint (Case No. 11-15860,
15 Dkt. #58);

16 WHEREAS, on January 30, 2013, the Ninth Circuit denied defendants’ petition for
17 rehearing en banc (Case No. 11-15860, Dkt. #61);

18 WHEREAS, on February 8, 2013, the Ninth Circuit issued a mandate in accordance with
19 Fed. R. App. Proc. 41 and Ninth Cir. Rule 41-1 & -2 remanding the action back to the District Court;

20 WHEREAS, the parties held a Rule 26(f) conference on February 26, 2013;

21 WHEREAS, the parties participated in a mediation on March 26, 2013;

22 WHEREAS, the mediation is still ongoing;

23 WHEREAS, on April 3, 2013, the Court entered a Case Management Conference Order
24 in Reassigned Case, which set a case management conference for June 27, 2013;

25 WHEREAS, on April 3, 2013, the Court so-ordered the parties’ Stipulation and Order
26 Extending Time to Answer, which extended defendants’ time to answer until April 30, 2013;

WHEREAS, on May 2, 2013, the Court so-ordered the parties' Stipulation and Order Extending Time to Answer and Exchange Initial Disclosures, which extended defendants' time to answer and the parties' time to exchange initial disclosures until May 20, 2013;

WHEREAS, the parties wish to further extend the time for defendants to answer the complaint and for the parties to exchange their initial disclosures pursuant to Fed. R. Civ. P 26(a)(1);

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between plaintiff and defendants, by and through their respective counsel, that:

1. Defendants will file their answers to the plaintiff's Third Amended Complaint on or before June 14, 2013;

2. Plaintiff and defendants will exchange their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before June 14, 2013.

DATED: May 17, 2013

/s/ Brendan P. Cullen

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Attorneys for VeriFone Systems, Inc. and Douglas Bergeron

DATED: May 17, 2013

/s/ Jordan Eth

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Attorneys for Barry Zwarenstein

1
2
3 DATED: May 17, 2013

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*Attorneys for Lead Plaintiff National Elevator
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I, Brendan P. Cullen, am the ECF user whose User ID and Password are being used to file this STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO ANSWER AND EXCHANGE INITIAL DISCLOSURES. In compliance with General Order 45, X.B, I hereby attest that the other signatories listed have concurred in this filing.

Dated: May 17, 2013

/s/ Brendan P. Cullen

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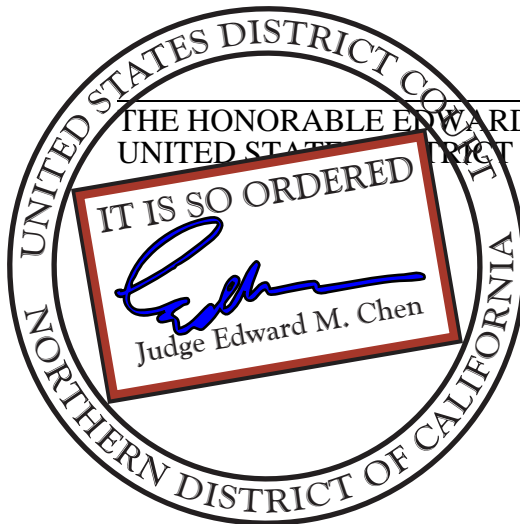
*Attorneys for VeriFone Systems, Inc. and
Douglas Bergeron*

ORDER

THE FOREGOING STIPULATION
IS APPROVED AND IS SO ORDERED.

5/20/13

Dated: _____



THE HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE